

106TH CONGRESS
1ST SESSION

S. 1037

To amend the Toxic Substances Control Act to provide for a gradual reduction in the use of methyl tertiary butyl ether, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 13, 1999

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Toxic Substances Control Act to provide for a gradual reduction in the use of methyl tertiary butyl ether, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. USE OF METHYL TERTIARY BUTYL ETHER.**

4 Section 6 of the Toxic Substances Control Act (15
5 U.S.C. 2605) is amended by adding at the end the fol-
6 lowing:

7 “(f) USE OF METHYL TERTIARY BUTYL ETHER.—

8 “(1) PROHIBITION ON USE IN SPECIFIED NON-
9 ATTAINMENT AREAS.—Effective beginning January

10 1, 2000, a person shall not use methyl tertiary butyl

1 ether in an area of the United States that is not a
2 specified nonattainment area that is required to
3 meet the oxygen content requirement for reformu-
4 lated gasoline established under section 211(k) of
5 the Clean Air Act (42 U.S.C. 7545(k)).

6 “(2) PROHIBITION ON USE IN AREAS OF LEAK-
7 AGE.—If the Administrator finds that methyl ter-
8 tiary butyl ether is leaking into ground water or sur-
9 face water in an area, the Administrator may imme-
10 diately prohibit the use of methyl tertiary butyl
11 ether in the area.

12 “(3) UPGRADING OF UNDERGROUND STORAGE
13 TANKS.—In enforcing the requirement that under-
14 ground storage tanks be upgraded in accordance
15 with section 280.21 of title 40, Code of Federal Reg-
16 ulations, the Administrator shall focus enforcement
17 of the requirement on areas described in paragraph
18 (2).

19 “(4) USE OF METHYL TERTIARY BUTYL ETHER
20 IN GASOLINE.—

21 “(A) INTERIM PERIOD.—

22 “(i) PHASED REDUCTION.—

23 “(I) IN GENERAL.—The Admin-
24 istrator shall promulgate regulations
25 to require—

1 “(aa) by January 1, 2001, a
2 $\frac{1}{3}$ reduction in the quantity of
3 methyl tertiary butyl ether that
4 may be used in gasoline; and

5 “(bb) by January 1, 2002, a
6 $\frac{2}{3}$ reduction in the quantity of
7 methyl tertiary butyl ether that
8 may be used in gasoline.

9 “(II) BASIS FOR REDUCTIONS.—
10 Reductions under subclause (I) shall
11 be based on the quantity of methyl
12 tertiary butyl ether in use in gasoline
13 in the United States as of the date of
14 enactment of this subsection.

15 “(ii) LABELING.—During the period
16 beginning on the date of enactment of this
17 subsection and ending December 31, 2002,
18 the Administrator shall require any person
19 selling gasoline that contains methyl ter-
20 tiary butyl ether at retail to prominently
21 label the fuel dispensing system for the
22 gasoline with a notice that the gasoline
23 contains methyl tertiary butyl ether.

1 “(B) PROHIBITION.—Effective beginning
2 January 1, 2003, a person shall not use methyl
3 tertiary butyl ether in gasoline.”.

4 **SEC. 2. STUDY OF EFFECTS OF FUEL COMPONENTS.**

5 Not later than July 31, 2000, the Administrator of
6 the Environmental Protection Agency shall—

7 (1) conduct a study of the behavior, toxicity,
8 carcinogenicity, health effects, and biodegradability,
9 in air and water, of ethanol, olefins, aromatics, ben-
10 zene, and alkylate; and

11 (2) report the results of the study to Congress.

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